

# Tennessee Statewide



*Key Findings from a Survey of 500 Registered  
Voters February 19-21, 2019*

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 **PUBLIC OPINION STRATEGIES**

# Methodology

**On behalf of the Justice Action Network, Right on Crime, and ACLU of TN, Public Opinion Strategies conducted a statewide survey of 500 registered voters in Tennessee.**

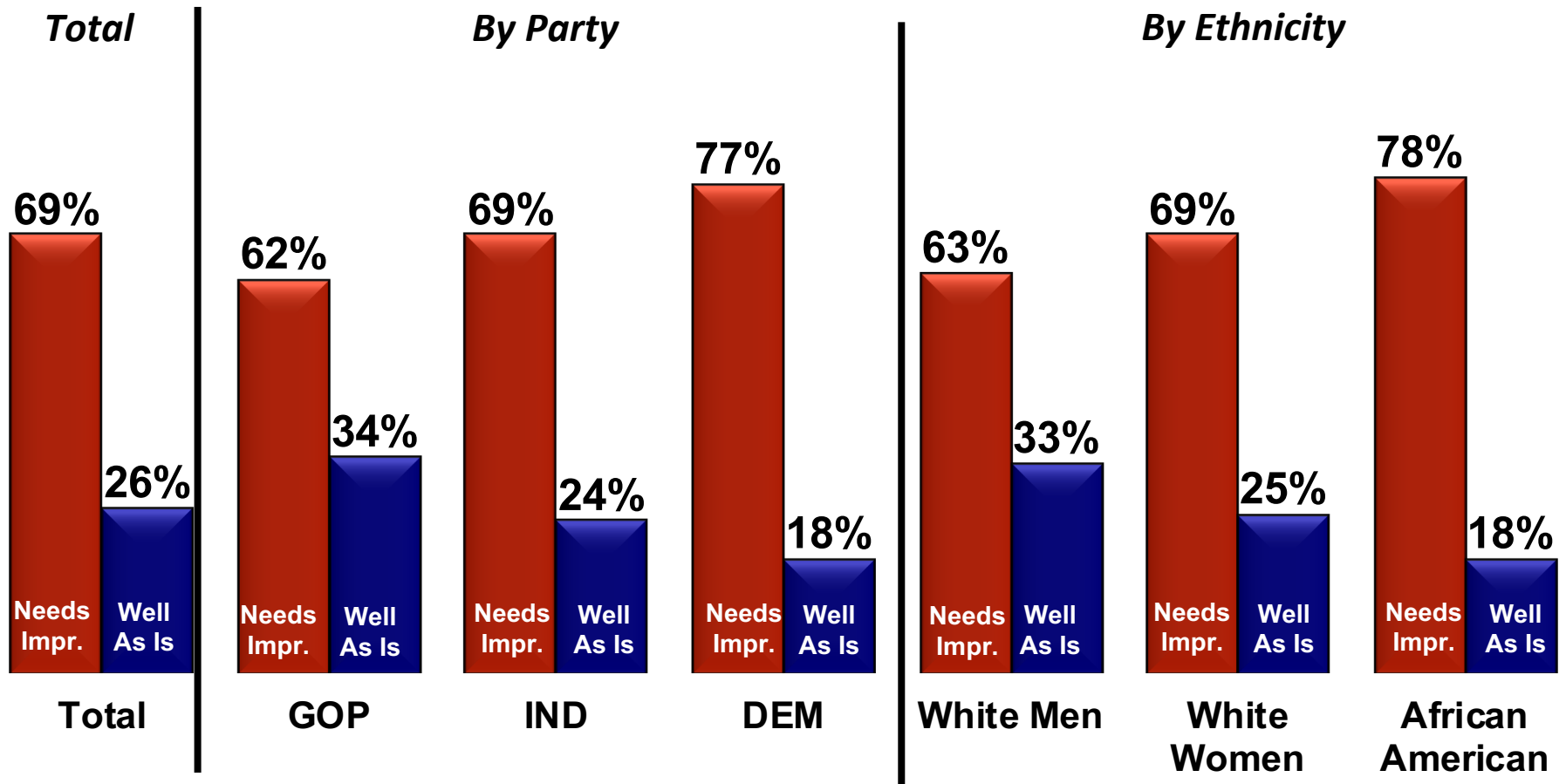
**The survey was conducted February 19-21, 2019 and has a margin of error of ±4.38%.**



# The Criminal Justice System

# More than two-thirds believe the state's criminal justice system needs "significant improvements."

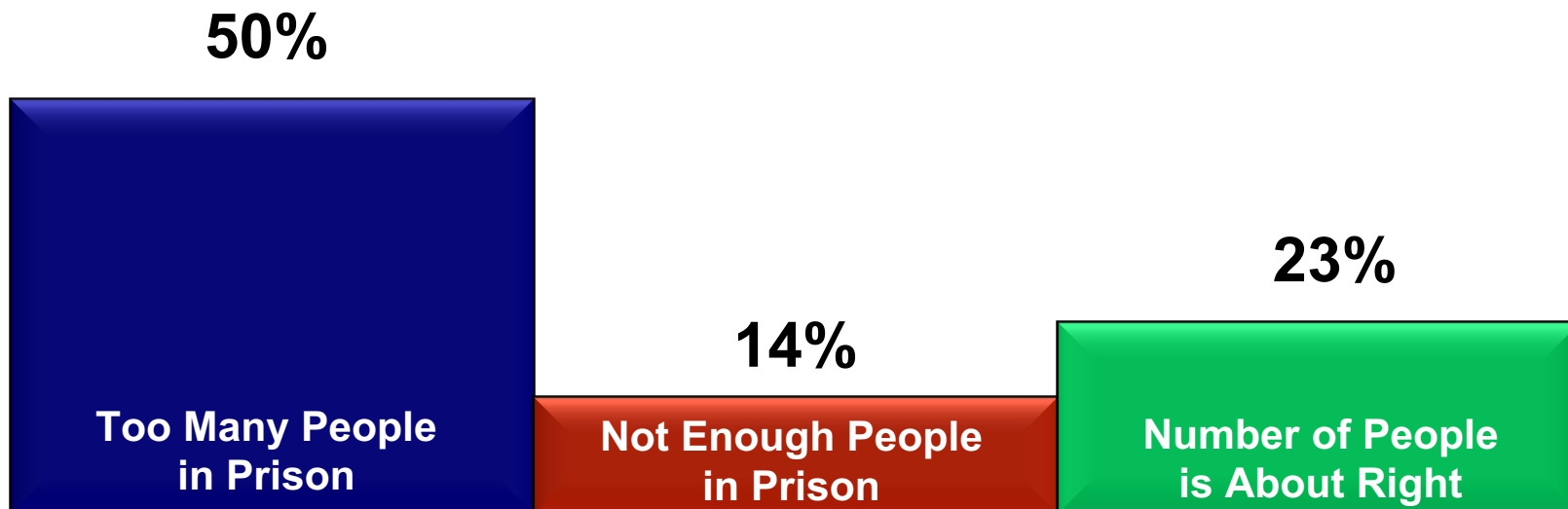
*Generally speaking, do you think the criminal justice system here in Tennessee... needs significant improvements or is working pretty well as it is?*



# Most voters believe there are “too many” people in prison.

*Do you think there are... too many people in prison in Tennessee, not enough people in prison in Tennessee, or is the number of people in prison about right?*

*Total*



# Agree-Disagree Statements:

*Now, I'm going to read you a list of several statements about criminal justice here in Tennessee. After I read each one, please tell me whether you agree or disagree with that statement...*

<b>%Agree- Disagree</b>	<b>Total</b>	<b>GOP</b>	<b>IND</b>	<b>DEM</b>	<b>White Men</b>	<b>White Women</b>	<b>African American</b>
We should break down barriers for people coming out of prison so it's easier for them to get jobs, support their families, and stop being so dependent on government services.	<b>92%- 6%</b>	<b>88%- 9%</b>	<b>94%- 4%</b>	<b>95%- 4%</b>	<b>89%- 7%</b>	<b>92%- 6%</b>	<b>97%- 3%</b>
The main goal of Tennessee's criminal justice system should be rehabilitating people to become productive, law-abiding citizens.	<b>91%- 9%</b>	<b>87%- 12%</b>	<b>92%- 8%</b>	<b>93%- 7%</b>	<b>87%- 13%</b>	<b>92%- 8%</b>	<b>97%- 3%</b>
The state's criminal justice system should be reformed to focus more on cracking down on major drug traffickers rather than on small-time drug pushers and users who are addicted and need treatment.	<b>85%- 13%</b>	<b>79%- 19%</b>	<b>84%- 12%</b>	<b>94%- 5%</b>	<b>83%- 14%</b>	<b>85%- 14%</b>	<b>89%- 8%</b>
Tennessee should allow people with low-level criminal records, who have remained crime free for a period of time, to seal or expunge their records so they have a better shot of finding jobs and supporting their families.	<b>84%- 14%</b>	<b>77%- 21%</b>	<b>85%- 13%</b>	<b>93%- 6%</b>	<b>82%- 15%</b>	<b>83%- 16%</b>	<b>96%- 4%</b>
Some of the money we are spending on locking up nonviolent offenders, especially drug offenders, should be shifted to alternatives like treatment programs, electronic monitoring, community service, and probation.	<b>83%- 16%</b>	<b>75%- 24%</b>	<b>85%- 14%</b>	<b>92%- 7%</b>	<b>78%- 21%</b>	<b>84%- 14%</b>	<b>94%- 6%</b>

# Favor-Oppose Proposals:

*Now, I'm going to read you a list of several criminal justice proposals. After I read each one, please tell me if you would favor or oppose each course of action here in Tennessee to reform the state's criminal justice system...*

% Favor - Oppose	Total	GOP	IND	DEM	White Men	White Women	African American
Reduce costly prison time for low-level, non-violent offenders in Tennessee prisons and reinvest some of those savings to create stronger, more cost-effective community based supervision programs that hold offenders accountable for their crimes.	90%- 9%	87%- 11%	90%- 10%	94%- 5%	88%- 10%	91%- 8%	95%- 4%
Replace mandatory minimum sentences with sentencing ranges so that judges can weigh the individual circumstances of each case, such as seriousness of the offense and the offender's criminal history, when determining the penalty.	89%- 10%	89%- 11%	87%- 11%	92%- 7%	86%- 13%	90%- 10%	94%- 4%
The state should allocate funding for stronger mental and behavioral health treatment, along with drug treatment for individuals who commit crimes as a result of an addiction or mental health issue.	88%- 10%	84%- 14%	89%- 10%	94%- 4%	84%- 14%	90%- 7%	93%- 6%



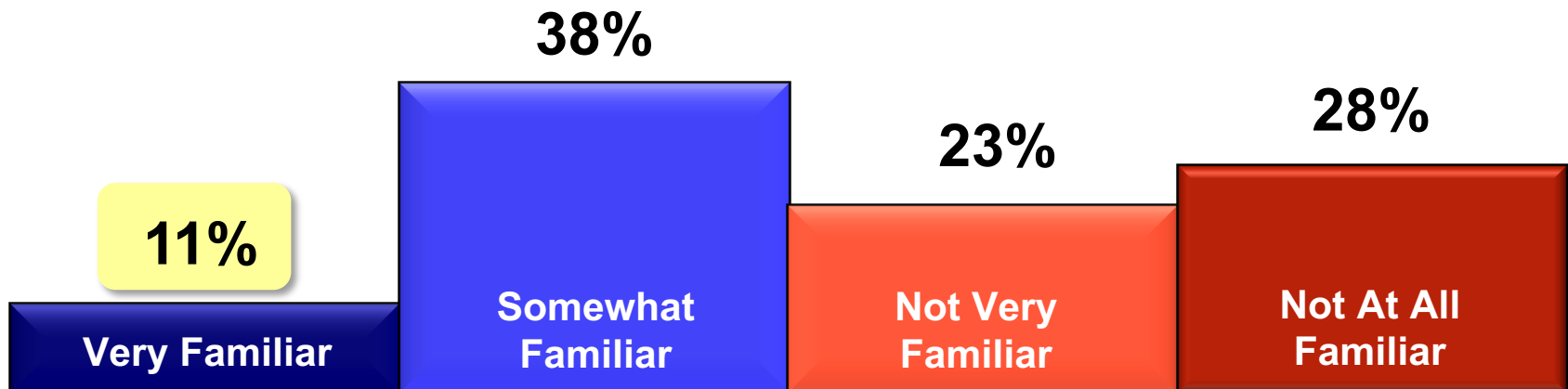
# Bail Procedures



# Few voters are familiar with how bail procedures work in Tennessee.

*How familiar are you with how bail procedures currently work in the criminal justice system here in Tennessee?*

*Total*



# After voters hear more about it...

*Now, as you may know, after someone has been arrested in Tennessee, a judge reviews their case and determines if they should be released out right, or released only after they have posted the amount of bail as specified by the judge.*

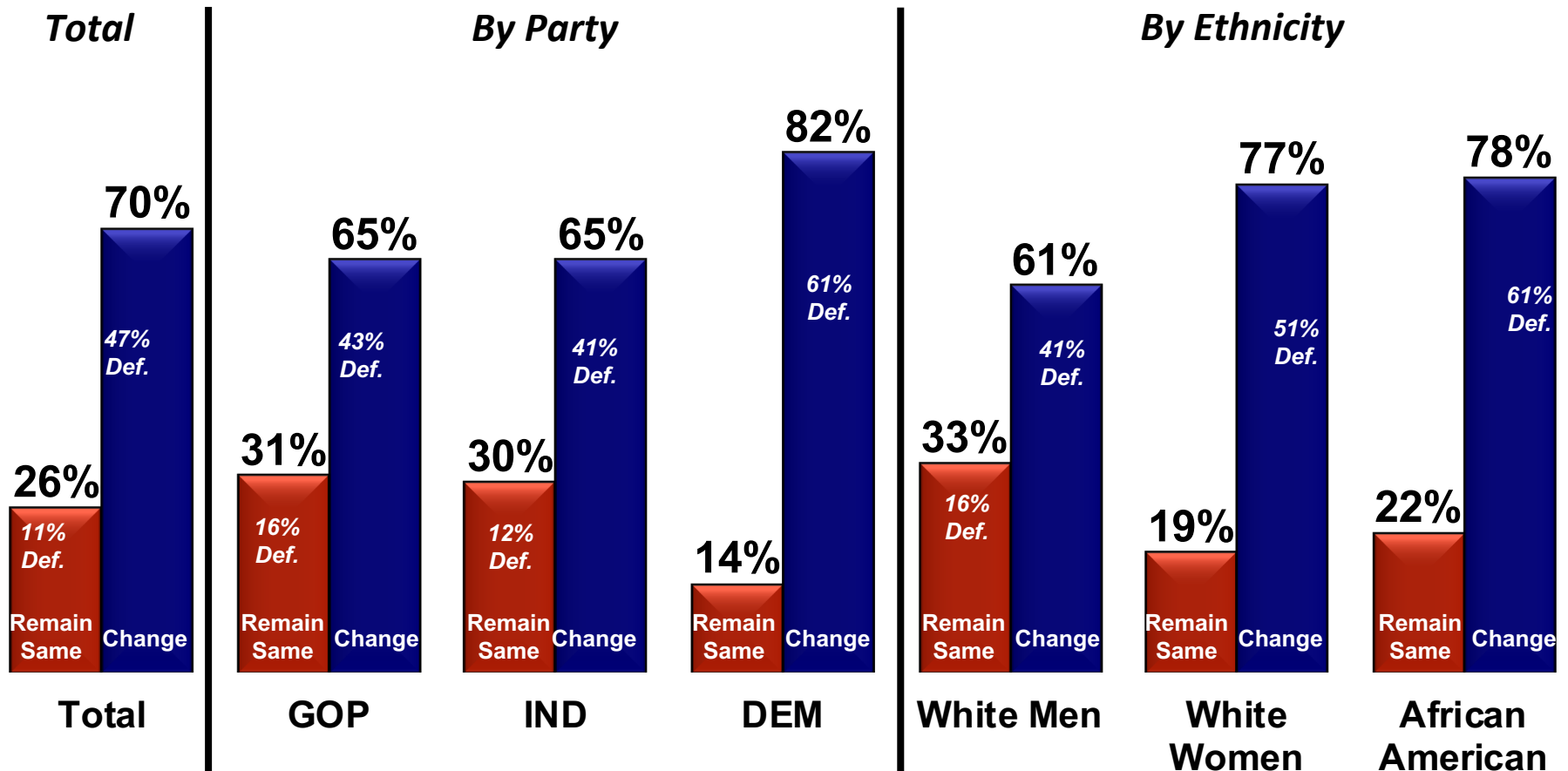
*If the person CAN pay the full bail amount, or ten percent of the full bail amount to a bail bondsman as a fee, they can walk free until their court date, regardless of whether they committed a serious or violent crime.*

*If the person CANNOT afford paying the full bail amount or a bail bondsman because they don't have enough money, they must remain in jail until their court date. This means even people who have never been convicted of a crime can sit behind bars for weeks or months while taxpayers foot the bill.*

*Generally speaking, do you think bail procedures here in Tennessee should remain the same, or should they be changed?*

# Fully 70% believe bail procedures should be changed.

*Generally speaking, do you think bail procedures here in Tennessee should remain the same, or should they be changed?*



## And, after voters hear both sides...

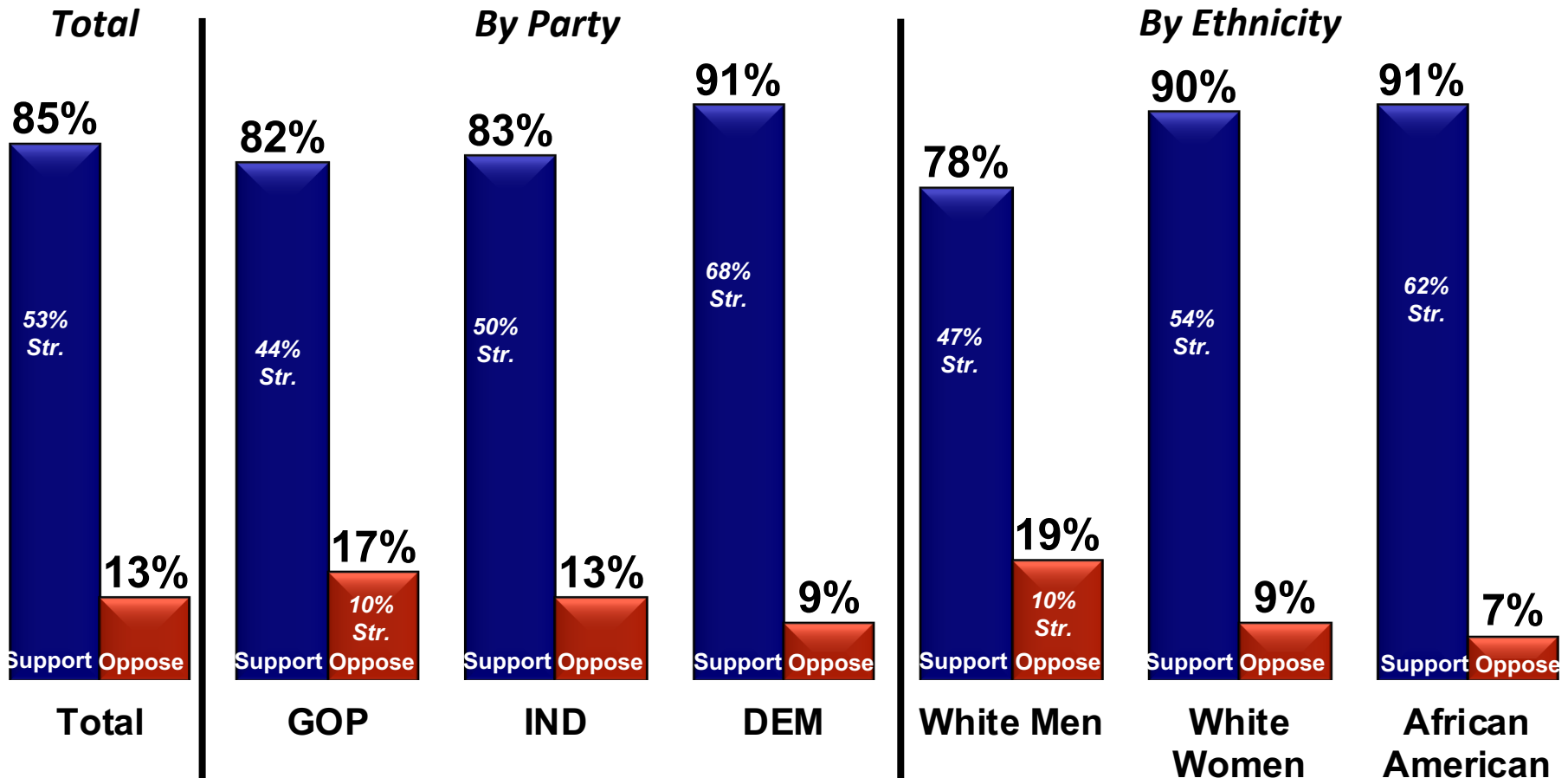
*Some people say that judges should release certain defendants under the court's supervision without having to pay bail, after the judge has studied their individual case and circumstances. They say the current system in Tennessee lets people who are accused of serious or violent crimes leave jail if they can pay their bail, while low-level, non-violent offenders who can't afford to pay bail are stuck in jail, even when they aren't considered a threat to public safety.*

*Other people say that the current system is working well now because bail bondsmen and the bail industry, which can post bail for defendants in exchange for a fee, have years of experience assessing people's risk. They say the current system ensures defendants have skin in the game, and detention is probably the best approach for defendants who can't afford anything.*

*Now that you have some more information, would you support or oppose judges shifting from the current cash bail system to one that allows judges to release some defendants under the court's supervision, if they are NOT considered a threat to society?*

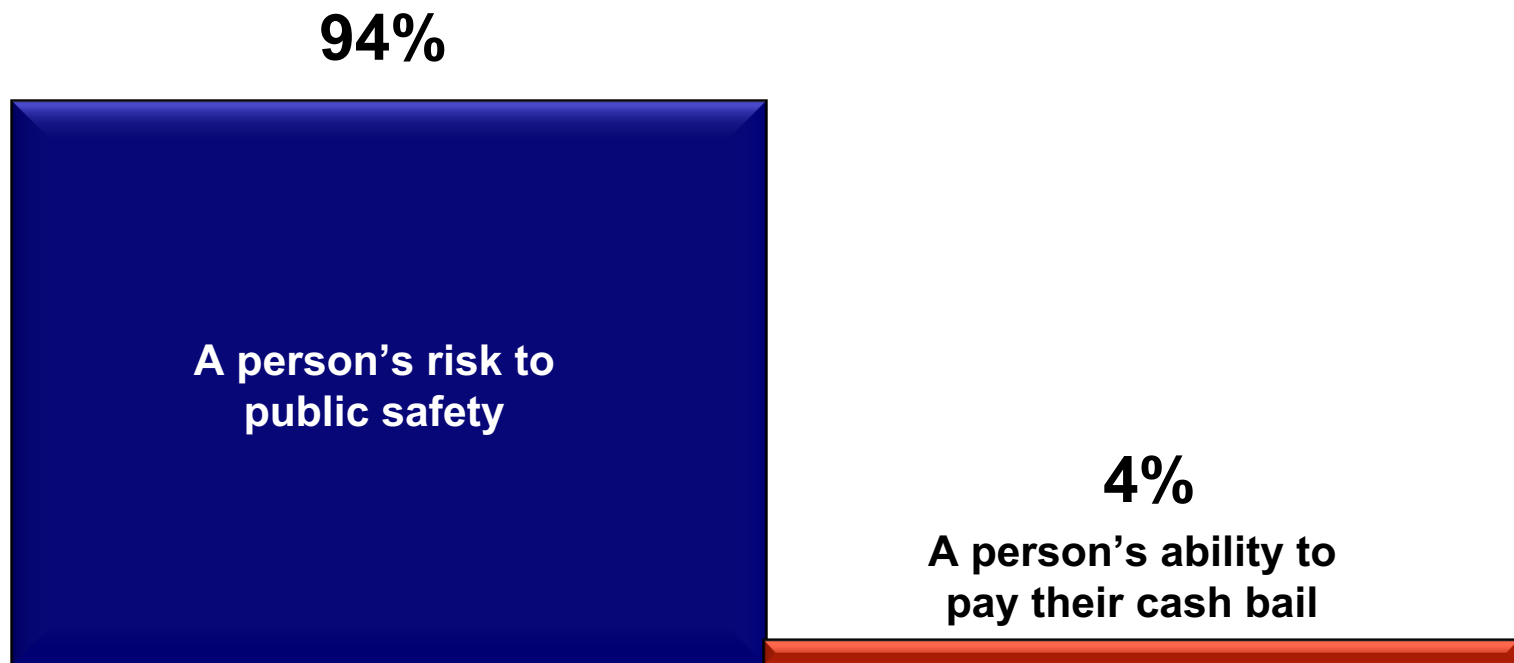
# By 85%-13%, voters support shifting away from the current cash bail system.

*Now that you have some more information, would you support or oppose judges shifting from the current cash bail system to one that allows judges to release some defendants under the court's supervision, if they are NOT considered a threat to society?*



# It's almost unanimous that a person's risk to public safety is more important to consider than their ability to pay bail.

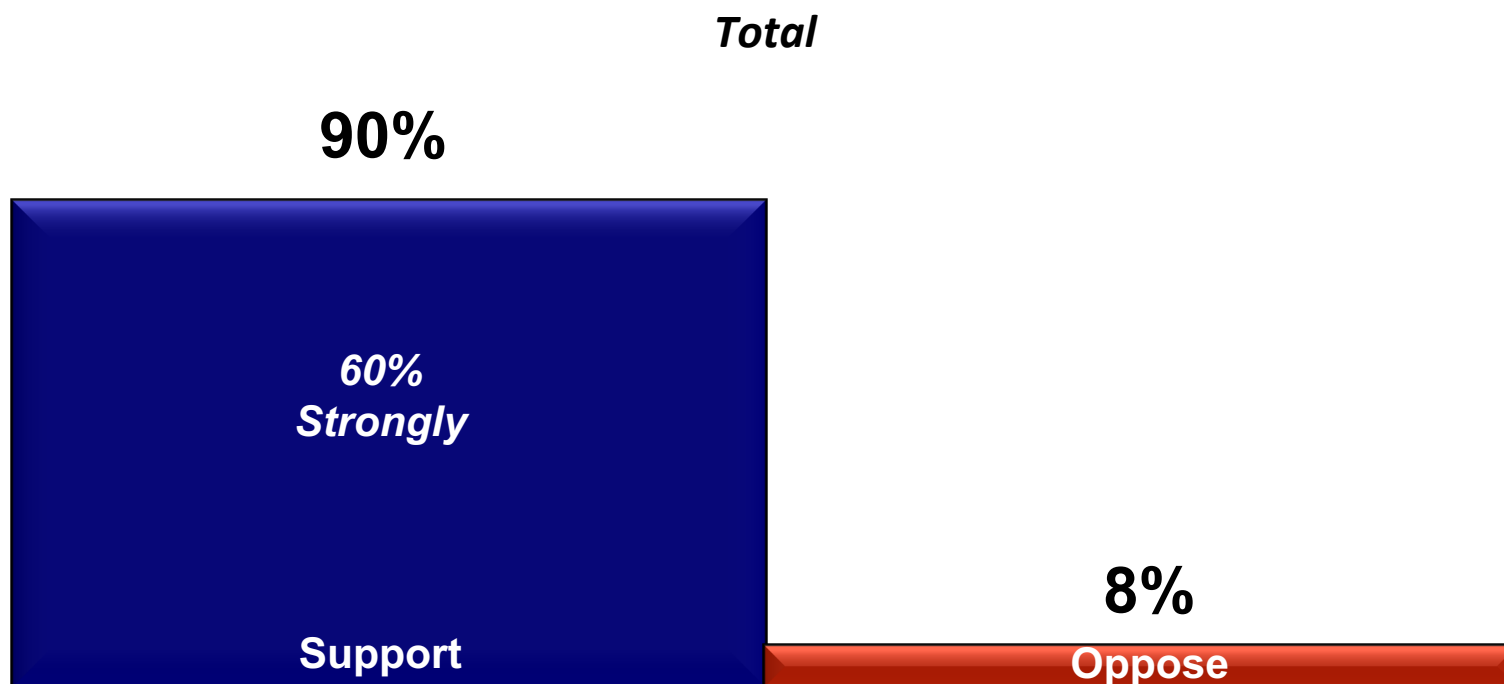
*And, thinking more about this issue, which of the following do you believe is MOST important to consider when deciding whether to release a defendant before their trial... a person's risk to public safety, or a person's ability to pay their cash bail?*



# There's strong support for risk assessments.

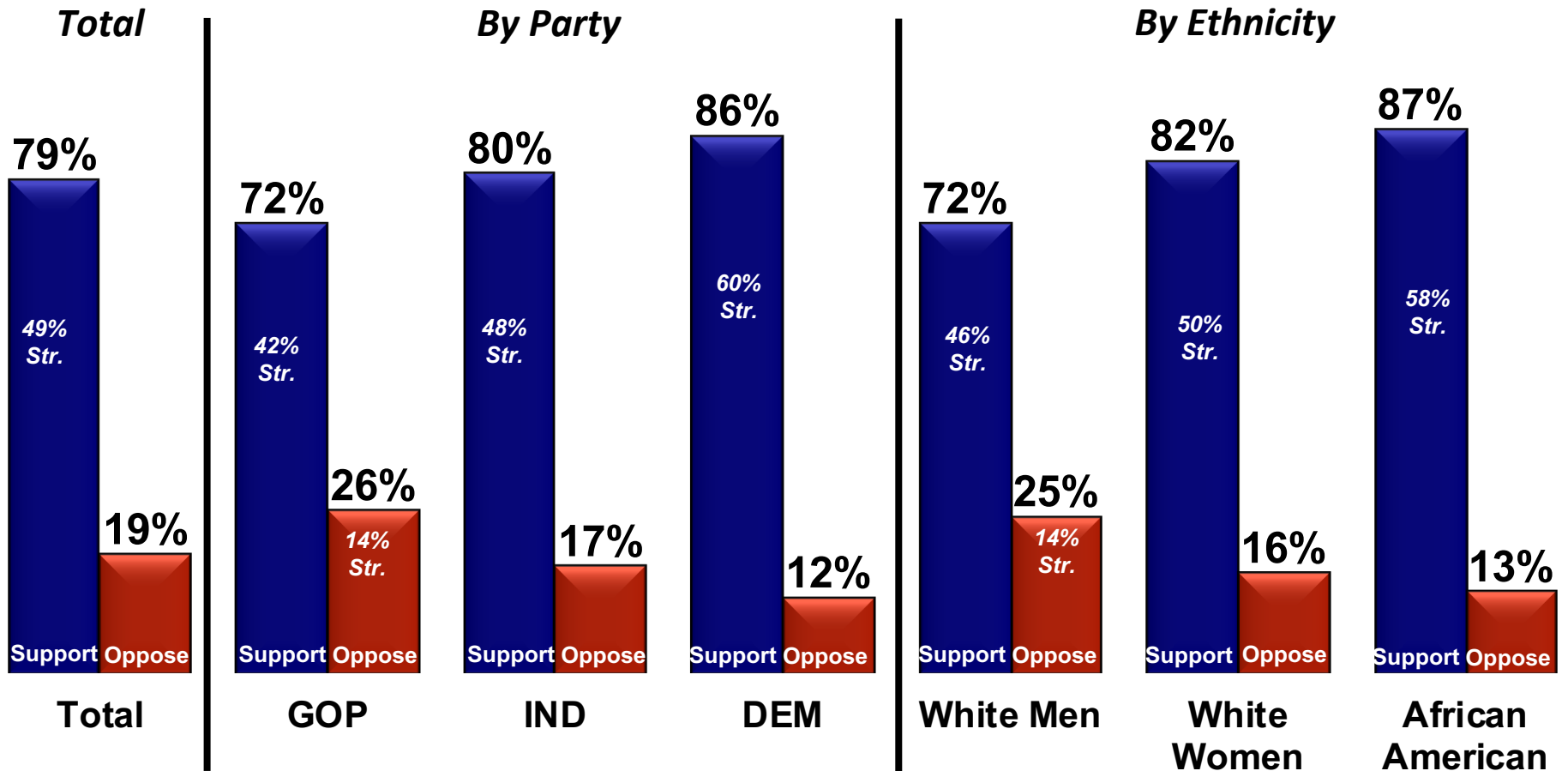
*While Tennessee uses a cash-based bail system, other states allow other options for certain offenses. These states use risk assessment tools that give the judge more information about a person's individual circumstances, including factors that help the judge determine whether the person is a risk to public safety, or even a flight risk. This information helps judges make informed decisions about releasing or detaining someone before their trial.*

*Do you support or oppose the State of Tennessee providing risk assessments to judges, which would help them make informed decisions about pre-trial detention?*



# Nearly 80% support eliminating/reducing cash bail for low-level offenders.

*And, would you support or oppose eliminating or significantly reducing the use of cash bail altogether for low-level, non-violent offenders, and shifting to a system where judges focus more on whether the person is considered a threat to public safety or a flight risk?*





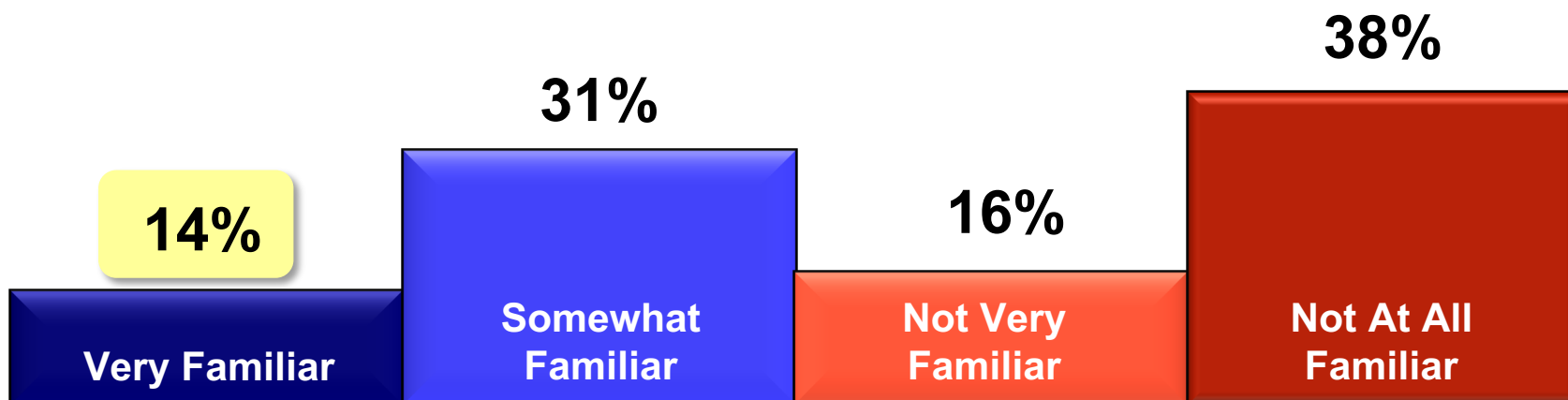


# Civil Asset Forfeiture

# Very few voters are aware of civil asset forfeiture.

*How familiar are you with an issue called civil asset forfeiture, that is when law enforcement can seize and sell property from a citizen based only on their suspicion that it has been involved in criminal activity?*

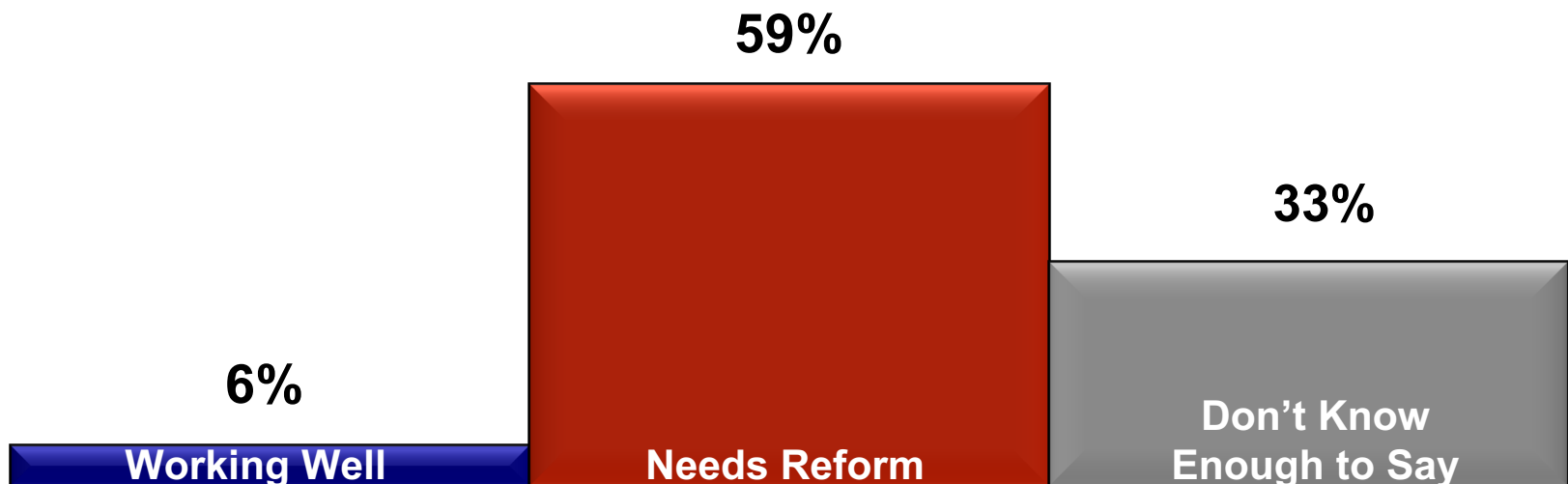
*Total*



# Among those who have some familiarity, a majority believe it “needs reform.”

*And, based on what you know, do you believe that civil asset forfeiture is working well now or is in need of reform, or do you not know enough to say either way?*

*Asked if familiar with civil asset forfeiture (N=227)*

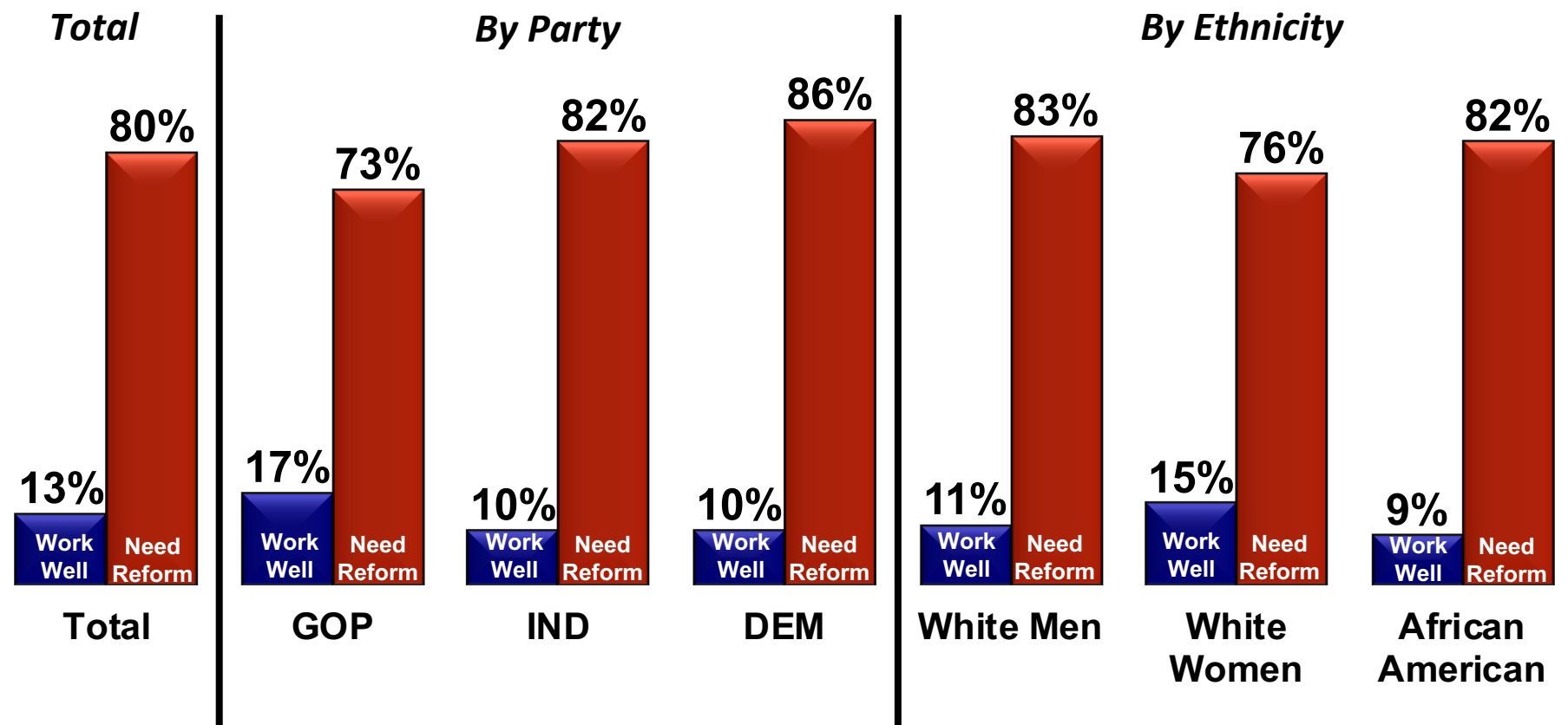


# After voters hear more about CAF, 80% want reform.

Now, as you may know, through civil asset forfeiture, law enforcement here in Tennessee can seize and sell property from a citizen based only on their suspicion that it has been involved in criminal activity, without having to charge the citizen with a crime.

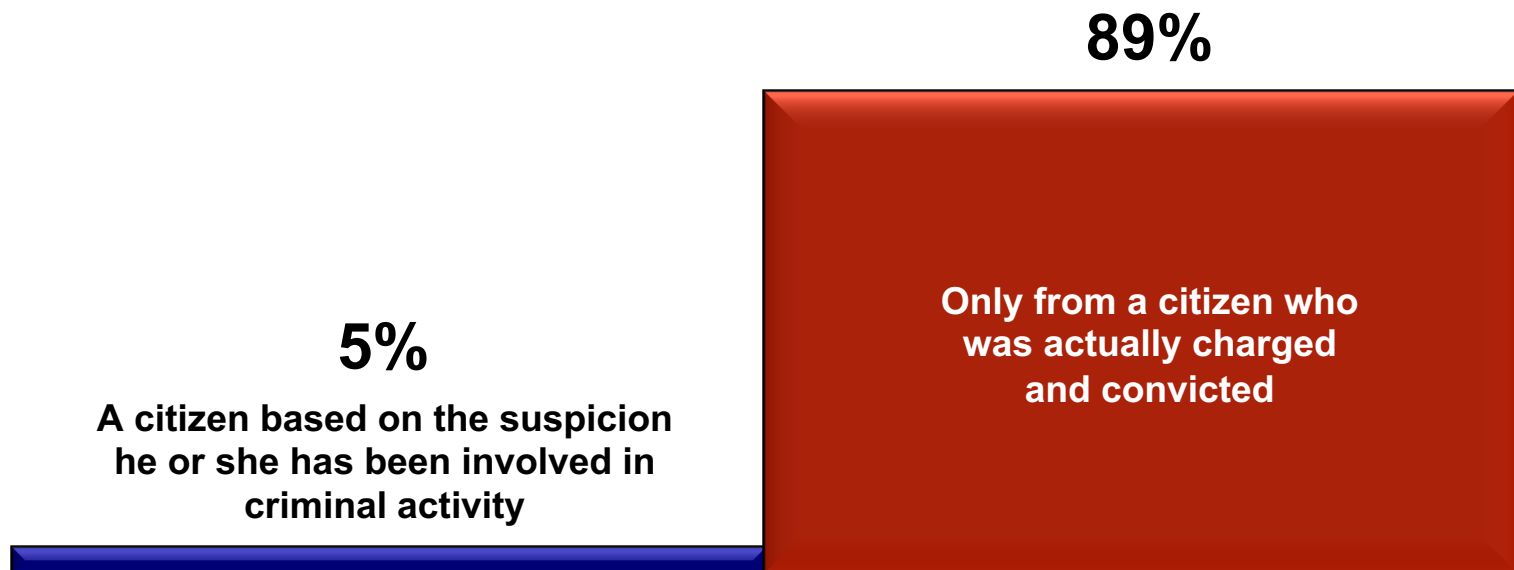
Under this rule, police departments across the state can sell or auction forfeited property to supplement their budgets. Law enforcement officials in Tennessee alone have seized and forfeited over more than \$85.9 million dollars in property between 2009 and 2014, and current laws allow these local police departments to keep almost all of what they seize.

Generally speaking, do you believe civil asset forfeiture is working well now or is in need of reform?



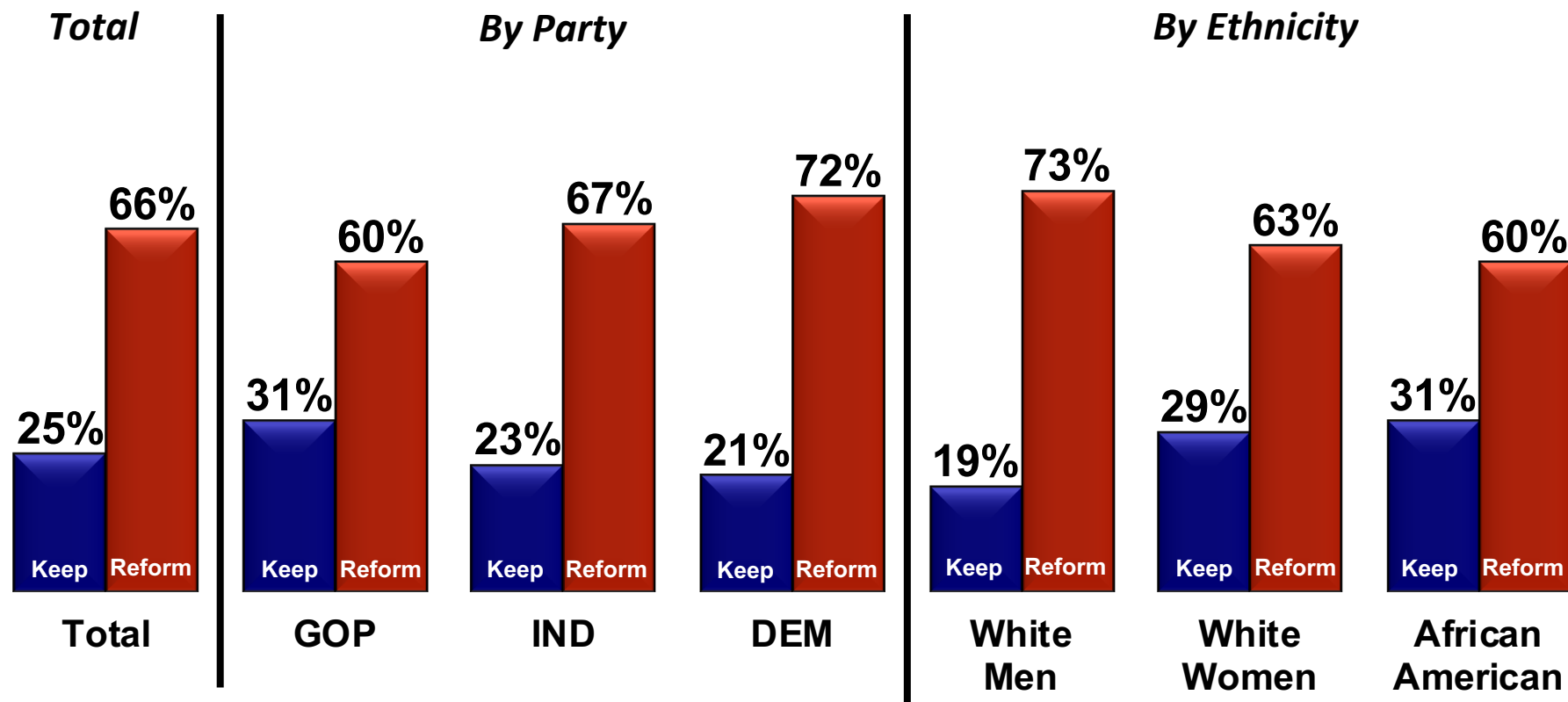
# Tennessee voters overwhelmingly believe that law enforcement should only be able to seize property from those actually charged and convicted.

*And, do you believe that law enforcement in Tennessee should be able to permanently seize money or other property... from a citizen based on the suspicion he or she has been involved in criminal activity, or should they be able to permanently seize money or other property only from a citizen who was actually charged and convicted?*



# By more than two-to-one, voters believe it's important to reform CAF.

*And, which one of the following statements about civil asset forfeiture comes closer to your own opinion... it is important to keep civil asset forfeiture as it stands now because our police departments need it as a tool in battling drugs, gangs, and cartels here in Tennessee, or it is important to reform civil asset forfeiture because police departments have a financial incentive to unfairly seize property and abuse the system because they get to keep almost all of the money?*





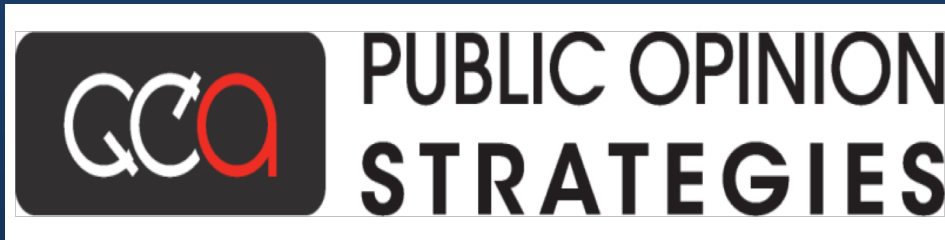
# Other Topics

*And, in Tennessee, the Parole Board considers parole after a certain amount of time for juveniles who committed serious or violent crimes. When do you believe the Parole Board should first consider parole for these offenders...*

<b>Parole Consideration</b>	<b>Total</b>
<b>After 15 years of incarceration</b>	<b>54%</b>
<b>After 20 years</b>	<b>12%</b>
<b>After 25 years</b>	<b>6%</b>
<b>After 30 years</b>	<b>5%</b>
<b>After 51 years</b>	<b>3%</b>
<b>Never</b>	<b>4%</b>
<b>Earlier than 15 years</b>	<b>4%</b>



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